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JUN 19 2014

Clerk, U S District Court
 District Of Montana
 Billings

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ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA

**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF MONTANA
 GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,	CR 14-50 -GF- BMM
Plaintiff,	INDICTMENT
vs.	
JOHN CHANCE HOULE, MARK CRAIG LEISCHNER, and WADE CHRISTOPHER COLLIFLOWER,	CONSPIRACY TO EMBEZZLE TRIBAL FUNDS (Count I) Title 18 U.S.C. § 371 (Penalty: Five years imprisonment, \$250,000 fine, and three years of supervised release)
Defendants.	THEFT FROM AN INDIAN TRIBAL ORGANIZATION (Count II) Title 18 U.S.C. §§ 1163, 2 (Penalty: Ten years imprisonment, \$250,000 fine, and three years of supervised release)
	THEFT – CIR (Count III) Title 18 U.S.C. §§ 1152, 661, 2 (Penalty: Five years imprisonment, \$250,000 fine, and three years supervised release)

OBSTRUCTION OF JUSTICE/MANUFACTURING FALSE EVIDENCE (Count IV) Title 18 U.S.C. § 1519 (Penalty: 20 years imprisonment, \$250,000 fine, and three years supervised release)	
OBSTRUCTION OF JUSTICE/IMPEDING A FEDERAL GRAND JURY INVESTIGATION (Count V) Title 18 U.S.C. § 1503, 2 (Penalty: Ten years imprisonment, \$250,000 fine, and three years supervised release)	

THE GRAND JURY CHARGES:

INTRODUCTION

At all times relevant to this Indictment:

1. The Chippewa Cree Tribe of the Rocky Boy's Indian Reservation was a federally recognized tribe located in north central Montana whose affairs were governed by the Chippewa Cree Tribal Business Council and whose government was located at Box Elder, Montana.
2. The Chippewa Cree Rodeo Association is a tribally recognized association organized under the laws of the Chippewa Cree Tribe to promote and sponsor tribal rodeo events which showcase Native American competitors.
3. On May 7, 2009, the Chippewa Cree Business Committee passed a resolution recognizing the Chippewa Cree Rodeo Association, and its officers, and

pledging support to the association as an “organization[] that contribute[s] to the well being of tribal members.”

4. Between June 2009 and July 2012, the Chippewa Cree Rodeo Association accounts had deposits of over \$2,000,000, representing contributions from the Chippewa Cree Tribe, contributions from departments and enterprises of the Chippewa Cree Tribe, businesses doing business with the Chippewa Cree Tribe or on the Rocky Boy’s Indian Reservation and other donors, proceeds from rodeo events, and other receipts.

5. At all times relevant hereto, JOHN CHANCE HOULE was a member of the Chippewa Cree Tribe Business Committee, President of the Chippewa Cree Tribe Rodeo Association, and had signature authority on, and financial control over, accounts in the name of the Chippewa Cree Rodeo Association.

6. At all times relevant hereto, MARK CRAIG LEISCHNER was the brother-in-law of Dr. James Howard Eastlick, Jr., then a Clinical Psychologist at the Rocky Boy Clinic in Box Elder, Montana.

7. At all times relevant hereto, WADE CHRISTOPHER COLLIFLOWER was a member of the Chippewa Cree Tribe, Vice President of the Chippewa Cree Rodeo Association, and had signature authority on, and financial control over, accounts in the name of the Chippewa Cree Rodeo Association.

COUNT I

THE CONSPIRACY

That from in or about June 18, 2009, and continuing thereafter until on or about July 7, 2010, at Box Elder, in the State and District of Montana, and other places, the defendants, JOHN CHANCE HOULE, MARK CRAIG LEISCHNER, and WADE CHRISTOPHER COLLIFLOWER, together with James Howard Eastlick, Jr., Tammy Kay Leischner, and others to the Grand Jury both known and unknown, did knowingly and intentionally conspire, confederate and agree to commit an offense against the laws of the United States, that is,

To embezzle, knowingly convert to their use and the use of another, willfully misapply and willfully permit to be misapplied, more than \$1,000 worth of the goods, assets, and property of the Chippewa Cree Rodeo Association, an Indian tribal organization, and under the care, custody, and control of any employee and agent of the Chippewa Cree Tribe, and to aid and abet the crime of theft from an Indian tribal organization, in violation of 18 U.S.C. §§ 1163 and 2, and

For JOHN CHANCE HOULE and WADE CHRISTOPHER COLLIFLOWER, being Indian persons, and the crime occurring on, in whole or in part, the Rocky Boy's Indian Reservation, being Indian Country, to take and carry away, with the intent to steal and purloin, the personal property of another, that is the

Chippewa Cree Rodeo Association, and to aid and abet the commission of the crime of larceny, in violation of 18 U.S.C. §§ 1152, 661, and 2.

THE OBJECTS OF THE CONSPIRACY

The objective of the conspiracy was to embezzle funds deposited into the Chippewa Cree Rodeo Association account by the Chippewa Cree Tribe, and others, by disguising payments made to a nominee vendor as legitimate rodeo expenses, and then to have the nominee kick-back a substantial portion of the payment for the personal benefit and enrichment of the conspirators.

OVERT ACTS

In furtherance of the conspiracy, and to affect the objects thereof, the conspirators committed, among others, the following overt acts.

1. On or about June 18, 2009, MARK CRAIG LEISCHNER deposited two checks totaling \$67,500, drawn on the Independence Bank account of the Chippewa Cree Tribe Rodeo Association and signed by JOHN CHANCE HOULE and WADE CHRISTOPHER COLLIFLOWER, into an account at Beartooth Bank in Billings, Montana.

2. On or about June 20, 2009, Tammy Leischner issued a check from the Leischner's joint bank account at Beartooth Bank payable to James Eastlick Jr. in the amount of \$15,000, which was denoted in the memo section as "Friendship fees for Mark."

3. On or about July 6, 2009, MARK CRAIG LEISCHNER issued a check from the Leischner's Beartooth bank account payable to Corriente Saddle Company in the amount of \$33,750, which was denoted in the memo section, "Chippewa Cree Youth Rodeo."

4. On or about July 18, 2009, Tammy Leischner issued a check from the Leischner's joint bank account at Beartooth Bank payable to James Eastlick Jr. in the amount of \$20,000.

5. On or about July 20, 2009, MARK CRAIG LEISCHNER deposited a check in the amount of \$45,000, drawn on the Independence Bank account of the Chippewa Cree Rodeo Association, and issued and signed by JOHN CHANCE HOULE and WADE CHRISTOPHER COLLIFLOWER, into his account at Beartooth Bank.

6. On or about July 28, 2009, Tammy Leischner issued a check from the Leischner's joint bank account at Beartooth Bank payable to James Eastlick Jr. in the amount of \$18,000.

7. On or about August 03, 2009, MARK CRAIG LEISCHNER deposited a check in the amount of \$22,500, drawn on the Independence Bank account of the Chippewa Cree Rodeo Association, issued and signed by JOHN CHANCE HOULE, into his account Beartooth Bank.

8. On or about June 15, 2010, JOHN CHANCE HOULE issued two checks payable to "M Leischner" drawn on the Wells Fargo Bank account of the Chippewa Cree Rodeo Association, in the combined amount of \$133,000.

9. On or about June 21, 2010, Tammy Kay Leischner deposited two checks drawn on the Rodeo account, payable to "M Leischner," and issued by JOHN CHANCE HOULE, into the Leischners' personal account at Stockman Bank.

10. On or about July 2, 2010, Tammy Kay Leischner purchased a cashier's check from Stockman Bank in the amount of \$62,062.46, and made payable to the Hill County Title Company.

11. On or about July 7, 2010, Hailey Lee Belcourt used a cashier's check in the amount of \$62,062.46, drawn on the Stockman Bank and purchased with proceeds from the account of Tammy Kay Leischner and MARK CRAIG LEISCHNER, to complete the purchase of a residence in Box Elder, Montana, and titled in the name of "Hailey Belcourt."

All in violation of 18 U.S.C. § 371.

COUNT II

That between on or about June 18, 2009, and continuing thereafter until on or about July 7, 2010, at Box Elder, and elsewhere, in the State and District of Montana, the defendants, JOHN CHANCE HOULE, MARK CRAIG LEISCHNER, and WADE CHRISTOPHER COLLIFLOWER, and Tammy Kay Leischner and

James Howard Eastlick, Jr., did embezzle, knowingly convert to their use and the use of another, willfully misapply and willfully permit to be misapplied, more than \$1,000 worth of the goods, assets, and property of the Chippewa Cree Rodeo Association, an Indian tribal organization, and under the care, custody, and control of an agent of the Chippewa Cree Tribe, and did aid and abet the embezzlement, that is, the defendant, JOHN CHANCE HOULE and WADE CHRISTOPHER COLLIFLOWER, withdrew funds from the Chippewa Cree Tribe Rodeo Association bank account with checks payable to MARK CRAIG LEISCHNER, who applied some of the proceeds to legitimate purposes but returned, or kicked-back, a significant portion of the payment to James Howard Eastlick, Jr., who in turn shared the proceeds with JOHN CHANCE HOULE, in violation of 18 U.S.C. §§ 1163, 2.

COUNT III

That between on or about June 18, 2009, and continuing thereafter until on or about July 7, 2010, at Box Elder, in the State and District of Montana, and on and within the exterior boundaries of the Rocky Boy's Indian Reservation, being Indian Country, the defendants, JOHN CHANCE HOULE and WADE CHRISTOPHER COLLIFLOWER, being Indian persons, did knowingly steal and purloin the personal property of another, that is the funds of the Chippewa Cree Rodeo Association, in violation of 18 U.S.C. §§ 1152 and 661.

During the period of this Count of the Indictment, the defendant, MARK CRAIG LEISCHNER, did knowingly and willfully aid and abet the commission of the crime described above, in violation of 18 U.S.C. § 2.

COUNT IV

That from on or about December 19, 2012, and continuing thereafter until on or about July 25, 2013, at Great Falls, in the State and District of Montana, and other places, the defendants, JOHN CHANCE HOULE and MARK CRAIG LEISCHNER, together with James Howard Eastlick, Jr., and others to the Grand Jury known and unknown, did knowingly alter, falsify, and make false entries on records and documents with the intent to impede, obstruct, and influence a federal investigation within the jurisdiction of the United States Department of Interior, Office of Inspector General, that is, JOHN CHANCE HOULE and MARK CRAIG LEISCHNER, after having been made aware of a federal investigation into the embezzlement of ARRA funds through the accounts of the Chippewa Cree Construction Corporation and the Chippewa Cree Rodeo Association, fabricated and otherwise manufactured documents and records designed to make payments to MARK CRAIG LEISCHNER by JOHN CHANCE HOULE on behalf of the Chippewa Cree Rodeo Association, appear legitimate, in violation of 18 U.S.C. §1519.

COUNT V

That from on or about March 27, 2013, and continuing thereafter until on or about July 25, 2013, at Great Falls, in the State and District of Montana, and other places, the defendant, MARK CRAIG LEISCHNER, together with James Howard Eastlick, Jr., and others to the Grand Jury known and unknown, did corruptly endeavor to influence and impede a federal grand jury, and influence, obstruct, and impede the due administration of justice, that is, well knowing that a grand jury investigation had been initiated into the embezzlement of federal ARRA funds through the accounts of the Chippewa Cree Construction Corporation and the Chippewa Cree Rodeo Association, fabricated, manufactured, and then produced in response to a federal grand jury subpoena for records, false and fraudulent documents, in violation of 18 U.S.C. § 1503.

At all times relevant to this Count of the indictment, JOHN CHANCE HOULE aided, abetted, induced, procured, and commended the commission of obstruction of justice, in violation of 18 U.S.C. § 2.

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A TRUE BILL.

John F. Hazel
FOREPERSON

M. W. Cotter
MICHAEL W. COTTER

United States Attorney

J. E. Thaggard
JOSEPH E. THAGGARD

Criminal Chief Assistant U.S. Attorney

1/24/14 @ 10:00
am
before Judge
Strong in 4F

Crim. Summons Heischner
 Colliflower

Warrant: Houle

Bail: _____